



PATENT APPLICATION

Docket No. 2004-2148.ORI

UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Daniel P. Hurt Date: December 15, 2005
S.N. : 10/786,767 Group Art: 3671
Filed : February 25, 2004 Examiner: Christopher J. Novosad
For : ERGONOMIC HAND TOOL

RESPONSE TO RESTRICTION REQUIREMENT

VIA FACSIMILE: 571.273.8300

Mail Stop Non-Fee Amendments
Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Restriction Requirement dated November 10, 2005 in the above-identified application. Please enter the following election and remarks.

Applicant herewith elects, with traverse, Group I, Claims 1-5 and 8. Applicant respectfully traverses the Restriction Requirement. Each of presently pending claims are drawn to a hand tool having a pivoting handle disposed

at an intermediate portion of a frame of the tool. As such, the examiner will necessarily search for and evaluate the subject matter of Claims 6, 7, and 9-13 in conducting the examination of Claims 1-5 and 8. Accordingly, applicant respectfully submits that Claims 6, 7, and 9-13 should be combined with Claims 1-5 and 8 for examination purposes.

Respectfully submitted,

HAUGEN LAW FIRM PLLP

A handwritten signature in black ink, appearing to read 'Mark J. Burns', is written over the printed name.

Mark J. Burns
Reg. No. 46,591
Haugen Law Firm PLLP
1130 TCF Tower
121 South Eighth Street
Minneapolis, MN 55402
(612) 339-8300